

DOCKET NO.: 273503US0PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: :
MICHEL DROUX, ET AL. : EXAMINER: HALPERN, MARK
SERIAL NO.: 10/541,121 :
FILED: JUNE 30, 2005 : GROUP ART UNIT: 1791
FOR: METHOD FOR MAKING A FIBER :
GLASS AND CELLULOSE MAT IN
CATIONIC MEDIUM

REQUEST FOR REFUND UNDER 37 C.F.R. §1.26

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Pursuant to 37 C.F.R. §1.26, Applicants hereby request a refund of certain fees paid on December 23, 2008 in the above-identified patent application. This Request is being made within two years of the date that the fees were paid.

The following events gave rise to this Request:

- (1) On June 23, 2008, the Examiner issued a final Office Action.
- (2) On October 23, 2008, Applicants filed an Amendment in response to the Office Action with the fee for a one-month extension of time. Applicants' Amendment included an explanation of why the June 23, 2008 Office Action was improperly made final.
- (3) On November 5, 2008, the Examiner issued an Advisory Action denying entry of the October 23, 2008 Amendment.
- (4) Subsequent to receipt of the November 5, 2008 Advisory Action, Applicants' representative communicated with the Examiner several times by telephone and facsimile

communication to persuade the Examiner that the October 23, 2008 Amendment should have been entered because the June 23, 2008 Office Action was improperly made final.

(5) Having not received a satisfactory response from the Examiner, on December 23, 2008, Applicants filed a Request for Continued Examination (RCE) requesting entry of the October 23, 2008 Amendment to prevent the application from being abandoned for failing to respond to the June 23, 2008 Office Action. The RCE was accompanied by payment of the fee for an RCE (\$810) and the fee for a three-month extension of time (\$980).

(6) On December 31, 2008, the Examiner issued a new final Office Action, which included an indication that "the finality of Office of 06/23/08 is withdrawn" and an indication that the October 23, 2008 Amendment had been entered. *See* December 31, 2008 Office Action, page 2.

(7) On January 9, 2009, the Examiner issued a new non-final Office Action in response to the December 23, 2008 RCE.

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As is apparent from the December 31, 2008 Office Action, the Examiner agreed that the June 23, 2008 Office Action was improperly made final, and that the October 23, 2008 Amendment should have been entered upon filing. The filing of the December 23, 2008 RCE and payment of the associated fees would not have been necessary (and would not have been carried out), if the Examiner had timely entered the October 23, 2008 Amendment. As the fees associated with the RCE (\$1790) were paid solely because the Examiner did not timely enter the October 23, 2008 Amendment, Applicants respectfully request that such fees be refunded.

In view of the foregoing, Applicants respectfully request that this request for refund be granted and the refund of \$1790 be directed to Deposit Account No. **15-0030**.

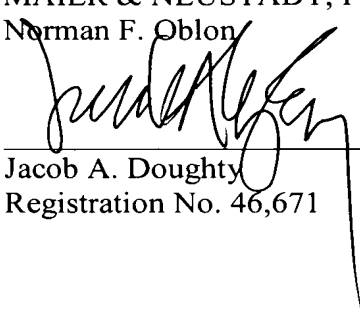
Application No. 10/541,121
Request for Refund

Please direct any questions or comments regarding this request to the undersigned.

Respectfully submitted,

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